

E-FILED ON SEPTEMBER 22, 2006

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Attorneys for Debtors and Debtors-in-Possession

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

Case No. BK-S-06-10725 LBR
 Case No. BK-S-06-10726 LBR
 Case No. BK-S-06-10727 LBR
 Case No. BK-S-06-10728 LBR
 Case No. BK-S-06-10729 LBR

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

Chapter 11

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
 Debtor.

Jointly Administered Under
 Case No. BK-S-06-10725 LBR

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

Date: N/A
 Time: N/A

In re:
 USA SECURITIES, LLC,
 Debtor.

**NOTICE OF ENTRY OF STIPULATED
 ORDER RE PROOFS OF INTEREST
 (AFFECTS USA CAPITAL DIVERSIFIED
 TRUST DEED FUND, LLC AND USA
 CAPITAL FIRST TRUST DEED FUND,
 LLC)**

Affects:

- ☐ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☒ USA Capital Diversified Trust Deed Fund, LLC
- ☒ USA Capital First Trust Deed Fund, LLC

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1 TO ALL PARTIES IN INTEREST:

2 PLEASE TAKE NOTICE THAT a Stipulated Order Re Proofs of Interest was entered on
3 September 15, 2006, a copy of which is attached hereto.

4 Dated: this 22nd day of September, 2006.

5
6 /s/ Lenard E. Schwartz, Esq

7 Lenard E. Schwartz, Nevada Bar No. 0399
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CERTIFICATE OF SERVICE

1. On September 22, 2006, I served the following document(s):

a. Notice of Entry of Stipulated Order Re Proofs of Interest

2. I served the above-named document(s) by the following means to the persons as listed below:

☒ a. **By ECF System:**

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20 ☐ b. **By United States mail, postage fully prepaid:**

21 ☐ c. **By Personal Service**

22 I personally delivered the document(s) to the persons at these addresses:

23
24 ☐ For a party represented by an attorney, delivery was made by handing the
25 document(s) to the attorney or by leaving the document(s) at the attorney's office with a clerk or
26 other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place
27 in the office.
28

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ d. **By direct email (as opposed to through the ECF System)**

Based upon the written agreement to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ e. **By fax transmission**

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. **By messenger**

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

Signed on: September 22, 2006

REBECCA MOSS

(Name of Declarant)

/s/ REBECCA MOSS

(Signature of Declarant)



Entered on Docket
September 15, 2006

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
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Case No. BK-S-06-10729 LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

Chapter 11

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
Debtor.

Jointly Administered Under
Case No. BK-S-06-10725 LBR

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

**STIPULATED ORDER RE PROOFS OF
INTEREST
(AFFECTS USA CAPITAL DIVERSIFIED
TRUST DEED FUND, LLC and USA
CAPITAL FIRST TRUST DEED FUND,
LLC)**

In re:
USA SECURITIES, LLC,
Debtor.

Affects:
☐ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☒ USA Capital Diversified Trust Deed Fund, LLC
☒ USA Capital First Trust Deed Fund, LLC

Date: September 13, 2006
Time: 9:30 a.m.

SCHWARTZER & MCPHERSON LAW FIRM
2850 South Jones Boulevard, Suite 1
Las Vegas, Nevada 89146-5308
Tel: (702) 228-7590 · Fax: (702) 892-0122

Upon the Stipulation of the Debtors and Official Committee of Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC ("Diversified Fund") and Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund LLC ("First Fund"), and pursuant to Bankruptcy Rule 3003(b)(2), and good cause appearing, it is

ORDERED AS FOLLOWS:

1. The list of members with interests in the Diversified Fund and First Fund provided by the Debtors to BMC Group, the Court-approved noticing agent, shall be deemed the list of equity security holders filed pursuant to Bankruptcy Rule 1007(a)(3), and shall constitute *prima facie* evidence of the validity and amount of the equity security interests.

2. Each holder of such interest shall be given notice of the Debtor in which it has an interest and the amount of such interest and, if applicable, whether that interest is alleged to be disputed or contingent.

3. It shall not be necessary for the holders of such interests to file a proof of interest.

4. The holders of such interests shall be deemed to have filed a proof of interest in the amount shown on the list.

Submitted by:
RAY QUINNEY & NEBEKER P.C. and
SCHWARTZER & MCPHERSON LAW FIRM

By: /s/Lenard E. Schwartzer
LENARD E. SCHWARTZER, ESQ.
Attorneys for Debtor and Debtor-In-Possession

Approved/Disapproved by:
ORRICK, HERRINGTON & SUTCLIFFE LLP
and BECKLEY SINGLETON, CHTD.

By: [Signature]
MARC A. LEVINSON, ESQ.
LYNN TRINKA-ERNCE, ESQ.
ANNE M. LORADITCH, ESQ.
BOB L. OLSON, ESQ.
*Counsel for the Official Committee of
Equity Security Holders of USA Capital
Diversified Trust Deed Fund, LLC*

Approved/Disapproved by:
STUTMAN TREISTER & GLATT, P.C. and
SHEA & CARLYON, LTD.

By: [Signature]
EVE KARASIK, ESQ.
CHRISTINE PAJAK, ESQ.
CANDACE C. CARLYON, ESQ.
*Counsel for the Official Committee of
Equity Security Holders of USA Capital
First Trust Deed Fund LLC*

###

1 Upon the Stipulation of the Debtors and Official Committee of Equity Security Holders of
 2 USA Capital Diversified Trust Deed Fund, LLC ("Diversified Fund") and Official Committee of
 3 Equity Security Holders of USA Capital First Trust Deed Fund LLC ("First Fund"), and pursuant
 4 to Bankruptcy Rule 3003(b)(2), and good cause appearing, it is

5 ORDERED AS FOLLOWS:

6 1. The list of members with interests in the Diversified Fund and First Fund provided
 7 by the Debtors to BMC Group, the Court-approved noticing agent, shall be deemed the list of
 8 equity security holders filed pursuant to Bankruptcy Rule 1007(a)(3), and shall constitute *prima*
 9 *facie* evidence of the validity and amount of the equity security interests.

10 2. Each holder of such interest shall be given notice of the Debtor in which it has an
 11 interest and the amount of such interest and, if applicable, whether that interest is alleged to be
 12 disputed or contingent.

13 3. It shall not be necessary for the holders of such interests to file a proof of interest.

14 4. The holders of such interests shall be deemed to have filed a proof of interest in the
 15 amount shown on the list.


16 Submitted by:
 17 RAY QUINNEY & NEBEKER P.C. and
 18 SCHWARTZER & MCPHERSON LAW FIRM

19 By: /s/Lenard E. Schwartzer
 20 LENARD E. SCHWARTZER, ESQ.
 Attorneys for Debtor and Debtor-In-Possession

21 Approved/Disapproved by:
 22 ORRICK, HERRINGTON & SUTCLIFFE LLP
 and BECKLEY SINGLETON, CHTD.

23 By: _____
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 27 BOB L. OLSON, ESQ.
 Counsel for the Official Committee of
 Equity Security Holders of USA Capital
 Diversified Trust Deed Fund, LLC

Approved/Disapproved by:
 STUTMAN TREISTER & GLATT, P.C. and
 SHEA & CARLYON, LTD.

By: 
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